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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,166	06/29/2001	Steven Neil Tischer	BELL-0085/01021	7426

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EXAMINER
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VAUGHN, GREGORY J

ART UNIT	PAPER NUMBER
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2178

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/896,166	<b>Applicant(s)</b> TISCHER, STEVEN NEIL	
	<b>Examiner</b> Gregory J. Vaughn	<b>Art Unit</b> 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 13-17 and 21-26 is/are rejected.
- 7) ☒ Claim(s) 10-12 and 18-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Application History*

1. This action is responsive to the application amendment, filed on 12/7/2004.
2. Applicant has amended claims 1, 7, 8, 10, 13, 16, 18 and 21; and added new claims 24-26.
3. Claims 1-26 are pending in the case, claims 1, 13 and 21 are independent claims.
4. Objections cited by the examiner in the *Specification* section of the previous office action (dated 9/8/2004) are withdrawn in view of the interview with the applicant; the interview was held 10/13/2004.
5. Examiner's rejection of claims 1-23, made under 35 USC 102 or 35 USC 103, as being anticipated by Hishida et al. US Patent 6,477,549 or unpatentable over Hishida in view of Alam et al. US Patent 6,336,124 US as recited in the previous office action (dated 9/8/2004) are withdrawn as necessitated by amendment.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

*"The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention."*

7. Claim 7 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

8. Regarding claim 7, the claim recites the limitation "*mapping each second file comprises*" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim. Claim 7 is dependent upon claim 1. Claim 1 is directed toward "*mapping each of the plurality of display instances*"

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

*“(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.”*

10. Claims 1-9, 13-17, and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al. US Patent 6,336,124, filed 7/7/1999, patented 1/1/2002 (hereinafter Alam) in view of Kuroda et al. US Patent 6,094,186, filed 5/15/1995, patented 7/25/2000 (hereinafter Kuroda).

11. **Regarding independent claim 1**, Alam discloses reading a first file containing digital content in Figure 3 at reference sign 302 (shown as “Receive Input Data”). Alam discloses reading a second file containing style definitions. Alam recites: *“The input and output formats may be, for example, portable document format (PDF), rich text format (RTF), hypertext markup language (HTML) format with style sheets, tabular HTML, extensible markup language (XML), cascading style sheets (CSS), Netscape Layers, linked and separate pages, Tag Image File Format (TIFF) or any other image format such as graphics interchange format (GIF), bit map (BMP), or Joint Photographic Experts Group (JPEG), formats generated by text and/or image*

*authoring tools or applications, or any other suitable formats*" (column 2, lines 1-11). Alam discloses displaying the stylized content in Figures 21A and 21B.

Alam fails to disclose a plurality of styles, displaying a plurality of stylized content simultaneously, and selection of a stylized content. Kuroda teaches the use of a plurality of styles, displaying a plurality of stylized content simultaneously, and selection of a stylized content. Kuroda recites: "*In a document processing apparatus wherein when a format of a document or the like is set, a plurality of format patterns are simultaneously displayed, a selection is made of a desirable format pattern among said format patterns*" (abstract).

Therefore, it would have been obvious, to one of ordinary skill, at the time the invention was made to combine the document formatting invention of Alam with the simultaneous display and selection of format styles as taught by Kuroda in order to provide "*to provide a document format setting method and an apparatus capable of readily setting a format*" (Kuroda, column 1, lines 61-62).

12. **Regarding dependent claims 2-4**, Alam discloses the use of XML, XSL and CSS files. Alam recites: "*The input and output formats may be, for example, portable document format (PDF), rich text format (RTF), hypertext markup language (HTML) format with style sheets, tabular HTML, extensible markup language (XML), cascading style sheets (CSS), Netscape Layers, linked and separate pages, Tag Image File Format (TIFF) or any other image format such as graphics interchange format (GIF), bit map (BMP), or Joint*

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*Photographic Experts Group (JPEG), formats generated by text and/or image authoring tools or applications, or any other suitable formats"* (column 2, lines 1-11).

13. **Regarding dependent claim 5**, Alam discloses the style definition as a justification in Figures 20, 21A and 21B (Figure 20 discloses the content prior to reformatting and Figures 21A and 21B show the content with new justification).
14. **Regarding dependent claim 6**, Alam discloses the use of a mouse in Figure 2 at reference sign 111.
15. **Regarding dependent claim 7**, Alam discloses the use of the x-pixel and y-pixel locations within the parameters of the display device in Figure 14.
16. **Regarding dependent claim 8**, the claim contains substantially the same subject matter as claim 1 and is rejected using the same rationale.
17. **Regarding dependent claim 9**, Alam discloses the use of a first style definition and a second style definition in figure 3 at reference sign 306 (shown as "One or More Different Output Formats").
18. **Regarding claims 13-15**, the claims are directed toward computer readable medium for the method of claims 1-3, respectively, and are rejected with the same rationale.

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19. **Regarding claims 16-17**, the claims are directed toward computer readable medium for the method of claims 8-9, respectively, and are rejected with the same rationale.
20. **Regarding claims 21-23**, the claims are directed toward a system for the method of claims 1-3, respectively, and are rejected with the same rationale.
21. **Regarding dependent claim 24**, Kuroda discloses dividing the display device into as many areas as styles in Figure 2 at reference sign 201. Kuroda discloses mapping similar style definitions to proximate areas of the display device in Figure 2 at reference sign 201 (shown as "*A4, Longer side ...*" next to "*A4 Longer Side ...*").
22. **Regarding claims 25 and 26**, the claims are directed toward a computer readable medium or a system for the method of claim 24, and are rejected with the same rationale.



***Allowable Subject Matter***

23. Claims 10 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

24. Claims 11-12 and 19-20 are objected to as being dependent upon claims 10 and 18, but would be allowable if claims 10 and 18 are rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

25. Applicant's arguments with respect to claims 1-26 have been considered but are moot in view of the new ground(s) of rejection described above.

**Conclusion**

26. The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

<u>Patent/Publication</u>	<u>Date</u>	<u>Inventor</u>
• US-6,320,602	11-2001	Burkardt et al.
• US-6,339,446	01-2002	Miyoshi, Yoshitaka
• US-2002/0194227	12-2002	Day et al.
• US-2003/0014447	01-2003	White, David J.
• US-2003/0204814	10-2003	ELO et al.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Vaughn whose telephone number is (571) 272-4131. The examiner can normally be reached Monday to Friday from 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached at (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Vaughn  
March 30, 2005



**STEPHEN HONG**  
SUPERVISORY PATENT EXAMINER